S.B. CIVIL MISC. APPEAL NO. 748/2001

Date : 24.03.2006

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. R.K. Thanvi for the appellant.
Mr. Sanjay Mathur for the respondent.

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Heard learned counsels for the parties.

The appellant has challenged the order dated 23rd July, 2001 passed by learned District Judge, Jodhpur whereby he has set aside the arbitration award. During hearing, both the counsels for the parties are in agreement that without disturbing the impugned order, a new Arbitrator may be appointed by this Court for adjudication of dispute between the parties. Accordingly, with the consent of the counsels for the parties, Shri Bagh Singh Bhati, Advocate is appointed as Arbitrator who will pass the award in accordance with law after affording full opportunity of hearing to both the parties within period of three months from the date the parties appear before him. The parties are directed to appear before the said Arbitrator on 13.05.2006. Until the award is passed by the Arbitrator, the appellant shall continue his business which he is doing since the passing of interim order dated 22.08.2001 passed by this Court. The appellant shall pay a sum of Rs. 5000/- and the respondent shall pay a sum of Rs.5,000/- to the Arbitrator as fees which may be enhanced, if required.

With the above observation, the appeal stands disposed of.

(BHAGWATI PRASAD), J.